

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *AC* D.C.

05 OCT 28 PM 4: 11

EMORY BROWN and
CAROLYN BROWN,
Plaintiffs,

v.

SAM'S CLUB and
SAM'S EAST, INC.,
Defendants.

CIVIL ACTION NO. 05-2645-BV

THOMAS H. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

JOINT RULE 16(B) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice and upon announcement to the Court by counsel for the parties that they have agreed to the deadlines herein, the following dates are established as the final deadlines for:

INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ. P.: November 22, 2005

JOINING PARTIES: December 28, 2005

AMENDING PLEADINGS: January 5, 2006

INITIAL MOTIONS TO DISMISS: February 6, 2006

COMPLETING ALL DISCOVERY (Except Expert Depositions): July 7, 2006

(a) DOCUMENT PRODUCTION: May 1, 2006

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:
June 21, 2006

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT
INFORMATION: June 1, 2006

(5)

(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT
INFORMATION: July 7, 2006

(3) EXPERT WITNESS DEPOSITIONS: July 21, 2006

FILING DISPOSITIVE MOTIONS: August 22, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. The trial is expected to take 3 days.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.

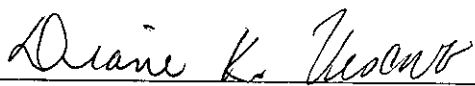
The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED this 28th day of October, 2005.



Judge Diane K. Vescovo
United States Magistrate Judge



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02645 was distributed by fax, mail, or direct printing on October 31, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT